

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 43**

January 11, 2021

**SUMMARY OF BILL:** Prohibits law enforcement from entering private property to engage in surveillance or set up surveillance equipment without a search warrant or warrant exception. Prohibits evidence obtained in violation of this to be used in the court of law.

**ESTIMATED FISCAL IMPACT:**

**NOT SIGNIFICANT**

Assumptions:

- Pursuant to the Fourth Amendment of the United States Constitution, "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."
- Prohibiting law enforcement from entering private property for the purpose of engaging in surveillance or setting up surveillance equipment without a search warrant signed by a judge authorizing such use or a judicially recognized warrant exception will not significantly impact arrest figures.
- Prohibiting the evidence obtained in violation of this from being used by the state in the court of law or administrative board will not significantly impact criminal convictions.
- Any fiscal impact to state or local government law enforcement or courts resulting from such prohibitions is estimated to be not significant.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Bojan Savic".

Bojan Savic, Interim Executive Director

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